

MECHANICSBURG BOROUGH COUNCIL MEETING
COUNCIL CHAMBERS, BOROUGH OFFICE BUILDING
36 West Allen Street
Mechanicsburg, PA 17055-6257

January 20, 2004

7:30 P.M.

CALL TO ORDER: At 7:30 p.m. President Winchell called the Council meeting to order.

PLEDGE OF ALLEGIANCE: President Winchell led those assembled in the Pledge of Allegiance to the flag.

ROLL CALL: Roll call taken with the following present: President Winchell, Vice President Whitcomb, Councilmen Humes, McDermott, Ryder, Seagrist, Jr. Councilperson Geiger, Mayor Ritter, Solicitor Schorpp, Engineer Bruening, Chief Spotts, Chief Seagrist, Manager Stough and Assistant Secretary Boyer. Councilman Rider called to say that he would try to attend, but had a work conflict.

Also in attendance: Cress – Sentinel, Dively – Patriot, Officer Keith Anthony, Officer Brandon Bittner, Bob Dietrick, David Hoover, Kyle Miller, Charlie Sheriff, Jay Stoner, Officer Kerry Vincent, Rebecca Yearick.

GUESTS:

None

CITIZEN COMMENTS:

None

ADDITIONS TO AGENDA:

None

APPROVAL OF AGENDA: Vice President Whitcomb made a motion, Councilman Ryder second, approving the agenda. The motion carried, 6:0.

CORRESPONDENCE:

Manager Stough reported:

1. A thank you letter was received from the United Way of the Capital Region for the banners Council approved along Mechanicsburg Streets.
2. Cumberland County Planning Outreach meetings for 2004 are schedule for March 23rd, May 25th, August 24th and November 9th at 11:30 am at the Planning Office.
3. The Pennsylvania State Association of Borough will be holding newly elected Borough Officials Training coming up in March and continuing through May.
4. PSAB Spring Legislative Conference will be held March 14th through the 16th at the Harrisburg Marriott. If interested in attending, please let the Borough Manager know before February 19th
5. CMC Communications sent information a Community Guide. Manager Stough gave the information to the Communication Committee for review.
6. The first meeting of the Municipal Advisory Board will be February 24th at Business Central Office in Carlisle.

APPROVAL OF MINUTES

Vice President Whitcomb a motion, second by Councilman Ryder, to approve the minutes of the December 16, 2003 Council meeting and the January 5, 2004 re-organizational meeting and Council Committee meeting. The motion passed with all in favor.

APPROVAL OF REPORTS

Councilman Ryder made a motion, second by Vice President Whitcomb, to approve the monthly reports as submitted. The motion passed unanimously.

President Winchell noted that Officer Brian Curtis and Lieutenant Margaret Myers have been added as Police Representatives for the Police Pension Fund Committee

MANAGER'S REPORT:

- ◆ Manager Stough distributed a packet of information from Rogele regarding the work completed for the Mulberry Drive Church Road Bridge project. Manager Stough reviewed the changes and additional work required to complete the

project. President Winchell directed the Manager to forward the information to the Property & Buildings Committee for review.

- ◆ Manager Stough distributed pictures of microphones purchased from Z-Band for the prisoner holding and police interview room. The design is compact and very sound sensitive. The Manager explained that four of these could be mounted into the Council table and an amp and speaker system could be installed to project the sound throughout the room. Vice President Whitcomb asked about a microphone for the public. Manager Stough stated that a podium with a microphone could be installed or a cordless microphone could be used. Additional information will be distributed to Council in the near future.

MAYOR'S REPORT

The Mayor reported:

- December 17th – Chief Spotts presided over a meeting of the Cumberland County Chiefs of Police Association. At this meeting, Chief Spotts was re-elected President of the Association.
- January 12th – Crime Watch meeting was held with Sgt. Pellman giving crime report update and Chief Spotts conducting a tour of the Police Department.
All Fire Police and Special Police have been sworn into office.
- January 14th – Mayor Ritter toured the Focus on Living house at 25 West Keller Street operated by the Capital Area Intermediate Unit.
- January 19th – Attended the West Shore COG dinner hosted by the West Shore Chamber of Commerce.

Trivia Question: On June 8, 1926 the American Legion Post 109 dedicated the field piece that stands at the entrance to Soldiers and Sailors Memorial Park. It was a captured Hessian cannon. Why is it pointing east?

Answer: Captured cannons are to point toward the country of origin. The wheels of the cannon have been removed and were rebuilt by a company in Lancaster. The metal will be sandblasted and re-painted.

CHIEF OF POLICE REPORT

Chief Spotts had no report.

SOLICITOR'S REPORT

Solicitor Schorpp reported that the Cumberland County Court affirmed Council's approval of the Mechanicsburg Commons Land Development Plan.

FIRE CHIEF REPORT

Chief Seagrist stated that his monthly report was distributed. The new engine is at Harrisburg Mack Truck. Equipment is being mounted and the truck should be in town by the first week in February. President Winchell asked about the sale of the old Fire Truck. Chief Seagrist stated that pictures will be taken and posted on the Web, and an advertisement for sealed bid will be drafted for advertisement.

JR. COUNCILPERSON REPORT

Jr. Councilperson Geiger reported:

- ◆ The Mechanicsburg Speech and Debate Teams competed at two tournaments. At the Shikellamy tournament in Sunbury they took awards in Declamation speaking, Varsity Policy Debate, and Novice policy speakers. At the Meyers tournament in Wilkes-Barre, they received an award for Lincoln-Douglas Debate.
- ◆ Practices for the Spring musical, "Annie get your gun," have begun.
- ◆ Finally, I would like to thank the Sentinel for their article, which I received good, positive feedback on.

COUNCIL COMMITTEE REPORTS

Community Development/Downtown - Humes -None

Finance/Appropriations/Insurance – Winchell- None

Fire Committee – McDermott – Councilman McDermott reported that he will be scheduling a Fire Committee meeting next month.

Health/Recreation – Seagrist – Councilman Seagrist reported on the Rockapella Concert held on Sunday, January 7th. This event raised between seven and eight thousand dollars, which will be used towards the pool renovation project. Councilman Seagrist asked the Borough Solicitor to review the draft RFP for consulting services on the pool renovation project. Councilman Seagrist asked President Winchell if it was his understanding, from the information obtained when they were in attendance at the Recreation Commission meeting on Monday, January 12th, that the Commission is looking for approval this evening from Council to apply for a technical assistance grant. Manager Stough stated that the TAP

Grant is a technical assistance grant to help with the pool project development, and expressed his view that the TAP grant should provide some assistance in the planning process and Council may want to apply for the TAP before finalizing the RFP for the design phase of the process. Councilman Seagrist inquired about the number of responses to the Skateboard survey. Manager Stough reported that about 50 were received and the originals have been forward to Councilman McDermott. Councilman McDermott indicated that he would compile the surveys and report back to Borough Council.

◆ **Resolution 01-04 honoring Officer Brandon Bittner.**

At this time, President Winchell asked that Council consider Resolution 1-2004. Vice President Whitcomb made a motion, second by Councilman Ryder, to adopt Resolution 01-2004 honoring Brandon Bittner for bravery in the line of duty during his recent active military service as an Army Reserve Military Police in Iraq during operation Enduring Freedom. The motion was approved by an unanimous vote. Chief Spotts presented Officer Bittner with the Resolution on behalf of Borough Council. Officer Bittner received the Army Commendation Medal for his service while deployed in Iraq.

Highway/Public Safety – Winchell - None

Loan Review Committee- Humes – Councilman Humes reported that the Loan Committee met regarding the Eckels Drug Store project and will have a recommendation for Borough Council at the February 3rd meeting. Chris Gulotta, from the Cumberland County Redevelopment Office, and Barbara Marbain, the applicant, will be attending that meeting to answer any questions Borough Council may have relative to this loan.

Ordinance/Administration/Legislative Action – Whitcomb – Vice President Whitcomb asked each Councilmember to provide four questions that he would like to see asked of any perspective candidates for Council Vacancies that may arise in the future and submit them for consideration of this committee. The Solicitor indicated that how this position is filled is a policy decision for Borough Council. Much discussion followed on this subject and whether or not interviews should be conducted for Council vacancies. Vice President Whitcomb indicated that he would like each Councilman to bring their list of questions to the February work session. Manager Stough indicated that he would add this item to the Committee meeting for February.

Property/Buildings – Rider - Manager Stough indicated that the highway department has all the drywall hung in the old paint booth bay and have framed in a new window. All work was done in house and the only cost was the materials. Next week the work release crews will be coming from the County and will be working on correcting the drainage in the police garage area.

Public Communications – McDermott- The deadline for items for the Spring Newsletter is February 6th. Councilman McDermott indicated that he is contacting community organization to gather information. He also spoke with Commissioner Eichelberger about submitting a quarterly County news update. Councilman McDermott indicated that he wants to stick with the established deadlines for each edition. Councilman McDermott indicated that the committee would meet at 7 PM on February 3rd to review the information provided by staff. Manager Stough indicated that staff needs to know which printer Council would like to use for this edition of the Newsletter. President Winchell asked if Council could make a motion on the Printer this meeting. The Solicitor stated that according to Roberts Roles of Order it takes a 2/3 majority of Council to place an item on the agenda, once the agenda has been established. Manager Stough indicated that he would put this item on the agenda for February 3rd.

Recycling Committee – Ryder- Councilman Ryder indicated that the Recycling Committee will met with the Citizens Advisory Committee on Recycling at 6 PM on February 3rd.

School Board – Ryder- Councilman Ryder missed the last School Board meeting, but will be attending the next meeting.

W.S.C.O.G. - McDermott – Councilman McDermott reported on the annual dinner meeting held last evening. He stated that they have a new President and group of officers and this should be an exciting year for West Shore COG.

AGENDA ITEMS FOR JANUARY 20, 2004

◆ **Review and possible award of the Sewer Maintenance and Emergency Services contract.**

No bids were received for this service. Bonding amounts were high and this deterred several bidders. Gannett Fleming will review the bonding limit and re-advertise for bids, with the new bid opening date of February 17th at 1 PM Vice President Whitcomb moved, Councilman McDermott second, a motion to authorize the re-advertisement of this bid for February 17th. The motion passed with all in favor.

◆ **Discussion and possible action on Stormwater Ordinance 1056.**

Manager Stough noted that Engineer Bruening is present this evening to answer any questions regarding this ordinance, which was properly advertised for action this evening. Councilman Seagrist made a motion to adopt

Ordinance 1056 as presented. Councilman McDermott seconded the motion and President Winchell called for a vote as follows:

Humes	Yea	Seagrist	Yea
McDermott	Yea	Whitcomb	Yea
Ryder	Not Present	Winchell	Yea
Ryder	Yea		

The motion passed with all in favor; 6:0

- ◆ **Resolution 02-04 honoring Blake Lawrence of Citizen’s Fire Company**
 Councilman Seagrist made a motion to adopt Resolution 02-2004 thanking Blake Lawrence for his service as Fire Chief at Citizen’s Fire and Rescue Company. Councilman McDermott seconded the motion, which passed with all in favor.
- ◆ **Authorize proper officers to make application for County Liquid Fuels Funding.**
 Vice President Whitcomb made a motion, Councilman Ryder second, to authorize the Borough Manager to make application for County Liquid Fuels funding. The motion passed by a vote of 6:0. Manager Stough reported that the Borough will get \$1,843 from the County as a reimbursement for paving work paid for from the Borough’s General Fund.
- ◆ **Settlement of 2003 Per Capita Tax with Barry Heckard – approval to remit \$3,010 dollars and 602 bills for uncollected Per Capita Tax to G.H. Harris for Collection.**
 Vice President Whitcomb made a motion to approve remittance of \$3,010 dollars and 602 bills for uncollected Per Capita Tax to G.H. Harris for collection. Councilman Seagrist seconded the motion, which passed with all in favor.
- ◆ **Settlement of 2003 Real Estate Tax with Barry Heckard – approval to remit \$13,444.16 dollars and 72 tax bills for uncollected Real Estate Taxes to Cumberland County tax claims office.**
 Vice President Whitcomb made a motion to approve remittance of \$13,444.16 dollars in uncollected Real Estate Tax and 72 tax bills to the Cumberland County Tax Claim office for collection. Councilman Humes seconded the motion. The motion passed by a vote of 6:0.
- ◆ **Discussion and possible action on change to Council meeting format.**
 President Winchell asked Council to consider changing the work session meeting held the first Tuesday of each month to a regular voting meeting. Councilman Ryder made motion to change the work session meeting to a regular council meeting. Vice President Whitcomb seconded the motion. Councilman Seagrist spoke against the motion, stating that he feels that Council needs the two weeks, after preliminary discussion, to deliberate on important matters facing the Borough. He also stated that he thinks the two-week period allows Councilmember to hear more resident Input before making any decision. Councilman Humes spoke in favor of the change stating that Council can table any matters that that require additional deliberation. Vice President Whitcomb stated that he also feels that items may be table if additional time is required, but routine items could be moved along in a more efficient and timely manner. Councilman Ryder stated that he views this proposed change as a way to expedite the day-to-day business of the Borough. President Winchell stated that it is not his intention to put any items on a fast track for approval just improve efficiency in dealing with items that come before Council and make Council more effective. Councilman McDermott stated that he feels that Council should develop a list of items that can be accelerated before taking action on this matter. He stated that he would like to see the agenda frozen as of Friday and additional items not be added. Manager Stough explained that he and Ms. Boyer compile the agenda and e-mail it to the Council President for approval on Thursday. The only items added after that time are any items received on Friday morning before 10 AM, as per the policy Council adopted last year. He then added that if an item is received in the mail on Monday or Tuesday and the deadline for the item falls before the next voting meeting then he asks that it be added to the agenda at the start of the meeting, usually these items were dinners or conferences. After some additional discussion, President Winchell called for a vote on the motion and the motion passed with four voting in favor (Humes, Ryder, Whitcomb, Winchell) and two voting against (McDermott, Seagrist). Vice President Whitcomb then made a motion to eliminate the first Tuesday meeting during the months of July and August. Councilman Ryder seconded the motion, for the purpose of discussion. Councilman Seagrist spoke against the motion asking if Vice President Whitcomb was proposing to cut Council’s salary in half during the months, which Council only met once. Councilman Ryder spoke against the motion, stating that Council has just voted to have two business meetings a month, and he could not see the benefit in eliminating these two meetings. Vice President Whitcomb sited vacations as a reason to meet less frequently in the summer. Councilman Humes asked if Council has had a problem obtaining a quorum for these meetings in the past. President Winchell stated that Council had never had a problem obtaining a quorum, until last month. After some additional discussion, President Winchell called for a vote and the motion failed by a vote of two in favor (Whitcomb, Winchell), and four against (Humes, McDermott, Ryder, Seagrist)
- ◆ **Discussion on meeting/conference/dinner attendance.**

Manager Stough explained that he asked that this item be added to the agenda for discussion as during budget meetings expenses under this line item were reviewed and reduced. He stated that he was not sure how to address questions from Council on attendance at dinners and trainings. Solicitor Schorpp stated that it would be his recommendation that each expenditure be considered and approved by Borough Council. After additional discussion, Vice President Whitcomb asked for a breakdown of last year's expenditures. Manager Stough indicated that it was distributed during the budget workshop, but he would have another copy made for Council. Vice President Whitcomb asked about the newly Elected Officials training for the new Council members. Manager Stough indicated that we still have some time on that, but the Tri-County dinner deadline is past, but they will still take our reservation. Councilman McDermott asked if anyone had researched using a less expensive hotel in close proximity to an event. Councilman Seagrist stated that he feels Council members should be allowed to go to any events that they are willing to pay their own way to and that should not be restricted by a policy. Vice President Whitcomb asked Manager Stough if he had any idea what type of staff training he was planning for the upcoming year. Manager Stough indicated that the Clerical Staff would be attending a PSATS training on Microsoft Office product mail merges, which includes Leslie, Eileen and Randi from the Police Department. The cost for each training is \$75. Larry Seagrist is attending a conference on Workers Compensation for Volunteer Fire Fighters, which was \$25, and I am taking a PSATS training on Communication, which was \$50. Vice President Whitcomb made a motion to approve the attendance of President Winchell, Councilman Seagrist and Ryder and Mayor Ritter at the Tri-County Borough Association dinner. Councilman Humes seconded the motion. Councilman Seagrist noted that he already paid his own way. President Winchell asked if he would like a refund, and Councilman Seagrist indicated that he would not. which passed by a vote of 4 in favor (Humes, Ryder, Whitcomb, Winchell) and 2 against (McDermott, Seagrist)

◆ **Accept constable resignation.**

Vice President Whitcomb made a motion; second by Councilman McDermott accept the resignation of Andrew Motter from the position of 2nd Ward Constable. The motion passed with all in favor.

◆ **Discussion on Recreation TAP grant.**

Manager Stough explained that the Borough is the applicant, so the application will need to be changed to the Borough and Council needs to authorize application. Councilman McDermott made a motion to authorize application by the Borough for the TAP Recreation Grant. Councilman Humes seconded the motion, which passed with all in favor.

◆ **Friends of the Library request**

Manager Stough turned over the floor to Jean Gsell, representing Friends of the Library. Ms. Gsell asked Borough Council to extend the Friends lease on the space at 34 West Allen Street for an indefinite time frame, as the new Library renovations do not provide for a space conducive to a book sale. Discussion followed on the space available to the Friends at the Library and other possible options that they were considering. Vice President Whitcomb asked Ms. Gsell about the dates for the proposed book sales. Ms. Gsell indicated that sales are scheduled for February 21st, Jubilee Day and October 23rd. Vice President Whitcomb expressed concern with the Jubilee Day sale due to parking limitations and congestion. After some additional discussion, Ms. Gsell will discuss changing the date of the June sale with the Friends of the Library Board and then come back to Council in February. The Solicitor noted that Councilman Humes, Ryder and President Winchell would all have to abstain from voting due to their positions on the Library and Friends Boards, when the matter comes to a vote. Vice President Whitcomb asked how much advance notice the Friends would need to vacate the facility, if Council would need to revoke their lease. Ms. Gsell answered that sixty days notice would be needed. After some additional discussion, Councilman McDermott made a motion, seconded by Vice President Whitcomb to table this matter till the February meeting.

◆ **Discussion and action on disposition of old Borough and County maps.**

Manager Stough stated that the Borough Map is in good condition and the Museum Association has expressed an interest in obtaining this, as they do not have a copy. The County map is in poor condition, however, a small map of Mechanicsburg is on the bottom portion of the page, which may be salvageable. After some additional discussion, Vice President Whitcomb made a motion, second by Councilman Ryder to table this to the February meeting. The motion passed with all in favor.

APPROVAL OF EXPENDITURES

Vice President Whitcomb made a motion, second by Councilman Ryder, to approve expenditures in the amount of \$186,559.24 from the General Fund; \$322,678.34 from the Highway Aid Fund; beginning December 1, 2003 through December 31, 2003. The motion passed with all in favor.

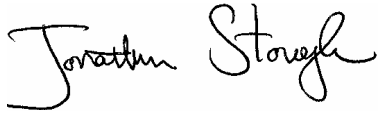
GUESTS

President Winchell asked for Citizen comments and there were none.

ANY OTHER BUSINESS: Councilman McDermott noted that the Friends of the Pool will meet on January 29th at 7:30 PM and the Recreation meeting for February will be held on Monday February 9th and the March meeting will be held on Wednesday, March 10th. Both meetings are at 7:30 PM.

ADJOURNMENT:

At 9:25 President Winchell adjourned the Public meeting to executive session for discussion on a personnel matter with no action to be taken.

A handwritten signature in cursive script that reads "Jonathan Stough". The signature is written in black ink and is positioned above the typed name.

Jonathan S. Stough
Borough Secretary